

Amendment**U.S. Patent Application No. 09/963,669****REMARKS**

Claims 1-9, 11-23, 26-39, and 42-45 are pending in the subject application. Claims 1-9, 11-23, 26-39, and 42-45 stand rejected, and claims 10, 24, 25, 40, and 41 are indicated as containing allowable subject matter. By the above amendments, independent claims 1, 15, and 31 have been amended to include the subject matter recited in allowable claims 10, 24, and 40, respectively, and claims 10, 24, 25, 40, and 41 have been canceled. Favorable reconsideration of the application and allowance of all of the pending claims are respectfully requested in view of the above amendments and the following remarks.

Claims 1-9, 11-23, 26-39, and 42-45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,044,071 to Spilker, Jr. in view of a publication by Butman et al. However, independent claims 1, 15, and 31 have been amended to include the substance of the allowable subject matter recited in claims 10, 24, and 40, respectively. Specifically, each of the independent claims requires that at least five signals are combined into the constant-envelope composite signal, and that at least three of those signals are combined via majority voting. Note that while the exemplary embodiment described in the specification involves a total of five signals (and three combined via majority voting) for purposes of illustration, it is explicitly stated in the specification on page 8, lines 12-17, that the “the invention is not limited to any particular number of signals, and the invention encompasses combining any practical number of signals, including any practical number of total input signal codes and any practical number of interplex modulator inputs, limited only by equipment constraints and acceptable power efficiency levels.” Thus, it is believed that the recitations of “at least five” and “at least three” in the independent claims are fully supported by the specification. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

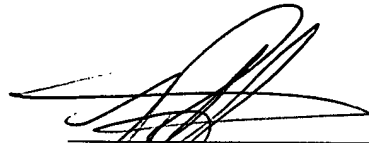
In view of the foregoing, Applicant respectfully requests the Examiner to find the application to be in condition for allowance with claims 1-9, 11-23, 26-39, and 42-45. However, if for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to call the undersigned attorney to discuss any unresolved issues and to expedite the disposition of the application.

Amendment

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A Notice of Appeal was filed on April 24, 2006. Thus, the Petition for an Extension of Time of One Month filed herewith extends time period for responding from June 24, 2006 to July 24, 2006. Applicant hereby petitions for any additional extension of time which may be required to maintain the pendency of this case. The Commissioner is hereby authorized to charge payment of any additional fees required for the above-identified application or credit any overpayment to Deposit Account No. 05-0460.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Patrick J. Finnan', is written over a horizontal line.

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